

Honorable Thomas S. Zilly

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON

|                           |   |                    |
|---------------------------|---|--------------------|
| ABS COMMUNICATIONS, INC., | ) | Civ. No. C05-1890Z |
|                           | ) |                    |
| Plaintiff,                | ) |                    |
|                           | ) |                    |
| v.                        | ) | ORDER              |
|                           | ) |                    |
| INTERNAL REVENUE SERVICE, | ) |                    |
|                           | ) |                    |
| Defendant.                | ) |                    |

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- )

Pending before the Court is the Federal Defendant's "Motion (1) for Summary Judgment Regarding CDP Appeal and (2) to Dismiss Petition to Quash Summons." Having considered the motion, the submissions, and the applicable law, the Court

ORDERS that the Federal Defendant's unopposed "Motion (1) for Summary Judgment Regarding CDP Appeal and (2) to Dismiss Petition to Quash Summons," docket no. 10, is GRANTED. It is further

ORDERED that the plaintiff's claim concerning the IRS administrative summonses at issue in the above-captioned proceeding is hereby DENIED. It is further

ORDERED that each side is to bear its own costs. It is further

ORDERED that all dates that have been set by the Court in this matter should be vacated.

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[Proposed] Order

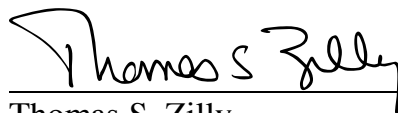
Civ. No. C05-1890Z

**U.S. Department of Justice**  
P.O. Box 683, Ben Franklin Station  
Washington, D.C. 20044-  
0683  
Telephone: (202) 307-6422

Honorable Thomas S. Zilly

IT IS SO ORDERED. The Clerk is directed to send copies of this Order to the parties.

DATED this 28th day of April, 2006.



Thomas S. Zilly  
United States District Judge

Presented by:

JOHN McKAY  
United States Attorney

ROBERT BROUILLARD, WSB #19786  
Assistant United States Attorney  
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By: /s/ Richard A. Latterell  
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Attorneys for the United States

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